

Remarks

The independent claims of the application (Claims 1 and 20), and most of the dependent claims acted upon, stand rejected as having been obvious to one of ordinary skill in the art over Vayda et al. (5,745,717) in view of Ishitani (5,367,625). Claims 11, 13, and 30 stand rejected as having been obvious over the same references, taken in view of Kinawi et al. (6,545,669). It is respectfully submitted that, giving due regard to the requirements of the claims, the rejections are readily seen to be without merit.

In previous Office Actions rendered on the same invention, significant factors underlying the rejections involved the recitations in the claims of the terms “offset” and “substantially parallel.” Applicant now observes that those terms are rather redundant, having regard to the remaining features of the claims, and accordingly they have been deleted from currently amended Claims 1 and 20, with dependent Claims 3 and 22 also being amended for consistency.

Repositioning of the phrase “within the communication region” emphasizes that movement of the pointing device is within the communication region, rather than the predetermined bearing. The term “substantially” has been deleted from the phrase “substantially parallel,” but the term “parallel” is still qualified by the phrase “within a tolerance determined by the angular separation of adjacent symbols.” Finally, the phrase “and being offset relative to the location of the symbol to be selected” has been

deleted, as superfluous; if one line is parallel to another, it obviously must be offset because the two lines cannot be co-linear. Consequently, the instant amendments do not change the scope of the claims, but serve rather to clarify, in important ways, the subject matter defined.

Although arguments in respect of the prior art are effectively as previously presented, Applicant should like to emphasize the following: Vayda et al. teach movement starting from a predetermined central region, and movement is then in a predetermined direction. There is no option to respond to movement independent of the location with the communication region at which such movement commences, and it appears that the Examiner has accepted this to be so.

Ishitani also does not select independently of the location at which movement commences. Ishitani is concerned with selecting objects without positioning the point of a pointing device exactly on the object to be selected (column 2, lines 61-64). To this end, with particular reference to Figure 8, in step 1 an initial starting point is selected at a location chosen by the user for selecting one or more objects.

As illustrated in Figure 8, the chosen starting point is adjacent to the ellipse object, with the intention of selecting the ellipse object, possibly with one or more additional objects. Clearly, the user would not choose a starting point adjacent to the square object if only the ellipse object were to be selected. The Examiner's assertion regarding Ishitani cannot be correct; there is nothing arbitrary about the starting location in Ishitani.

Moreover, having chosen a starting point, Ishitani then teaches the use of movement to select a rectangular area defined by the starting point and a current point, and selects the objects within that rectangular area, as indicated by steps 2-6, subject to the application of an association algorithm (column 11, line 1, to column 12, line 19).

In view of the foregoing, it seems evident that Vayda et al. cannot properly be deemed to have rendered the claimed subject matter obvious to one of ordinary skill in the art, either alone or in combination with Ishitani. It is respectfully submitted that all claims of the application clearly define an invention that is novel and patentable over the prior art.

A Petition for Extension of Time is enclosed, together with a Form PTO-2038, authorizing a charge in the requisite amounts of the official fees for submitting the Petition and the RCE. Please charge any deficiency in the authorized amount, or credit any overpayment, to Deposit Account No. 502982.

Passage of the application to allowance is believed to be clearly in order. Such action is earnestly solicited.

Respectfully submitted,
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